Dear Ms. Cavallo,

I am writing from the Office of the Secretary of Higher Education (hereinafter ‘OSHE’) in regards to your communication to this office from June 25, 2013 where you inquired about New Jersey licensure requirements for out-of-State institutions offering online courses and degree programs to New Jersey residents.

When an out-of-State institution offers New Jersey residents no other programs except for distance education programs without a physical presence in the State then licensure is **not required**. “Physical Presence” is defined in the higher education licensure rules of the New Jersey Administrative Code (’N.J.A.C.’) to mean “that an entity offers credit-bearing courses from or conducts some portion of the learning experience at a location established in New Jersey by the entity, whether established directly or under the auspices of another entity or an institution.” **N.J.A.C. 9A:1-1.2.**

If a distance learning program requires a clinical or internship component for a certain degree, such a component will not meet the above-referenced definition of “Physical Presence” so long as the following two criteria are met:

1) The student-supervisor relationship is conducted on a one-to-one basis (e.g. no group review sessions or other gatherings); and
2) The supervisor is not a permanent employee of the out-of-State institution.

For your convenience, I have attached New Jersey’s licensure rules to this message. The licensure rules can also be found on the OSHE website at: http://www.state.nj.us/highereducation/More_HE_Resources/Licensure.htm.

Kindly bring any additional questions, comments, or concerns to my attention via email (eric.taylor@njhe.state.nj.us) or telephone (609) 984-3738.

Very truly yours,

Eric Taylor, Esq.
Director, Office of Licensure
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From: NJHE General
Sent: Friday, June 28, 2013 7:58 AM
To: Taylor, Eric
Subject: FW: State Authorization in the state of New Jersey

From: Cavallo, Davida [mailto:cavallo@calu.edu]
Sent: Tuesday, June 25, 2013 8:56 AM
To: NJHE General
Subject: State Authorization in the state of New Jersey

California University of Pennsylvania is in the process of determining whether it is required to apply for authorization in the state of New Jersey in order to continue to offer its global online degree programs.

California University of Pennsylvania is a public state-owned University located in southwestern Pennsylvania; one of fourteen member universities in the Pennsylvania State System of Higher Education. California University of Pennsylvania serves more than 8,600 undergraduate and graduate students.

California University of Pennsylvania is accredited by the Middle States Commission on Higher Education, and more than 80% of Cal U's academic programs are accredited by national agencies. Our longest-standing program-based accreditation dates to 1954, when our teacher education program was accredited by NCATE (National Council for Accreditation of Teacher Education).

California University of Pennsylvania has been offering distance education since the 1990s using a variety of technologies, including interactive two-way video and online instruction. The University’s online programs are known as Global Online. Global Online courses are taught by University faculty; scholars in their disciplines and dedicated to providing quality instruction. The courses are challenging, featuring the same objectives, content, and learning outcomes as courses taught on our Main campus. Instruction for our Global Online programs, as well as any communication between faculty and students, takes place exclusively online. Today, 1.3% of our total online students are located within the state of New Jersey and are full and part-time.
California University of Pennsylvania does not maintain any office or other physical facility, mailing address, or telephone access in New Jersey, nor does it recruit students through targeted in-state advertising. In academic year 2012-2013, approximately 45 full-time or part-time New Jersey students were enrolled our online programs.

Courses in our Global Online program are delivered completely online, but seven of our programs require internships, practicums, or mentorships that may be completed in the student’s home state.

California University of Pennsylvania would like to continue to serve your students. However, in order to do so, we need to know if your state’s approval is required. If so, we will also need to know what the next steps are required to obtain such approval. You may contact Davida Cavallo, (cavallo@cau.edu) if you have any questions or need additional information.

Thank you for your assistance,

Davida Cavallo

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